

Message Text

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ACTION ARA-14

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FM AMEMBASSY TEGUCIGALPA

TO SECSTATE WASHDC 9560

INFO AMEMBASSY GUATEMALA

AMEMBASSY MANAGUA

AMEMBASSY SAN JOSE

AMEMBASSY SAN SALVADOR

C O N F I D E N T I A L TEGUCIGALPA 0974

EO 11652 GDS

TAGS: PINT, SHUM, HO (CYPHER, MICHAEL JEROME)

SUBJECT: OLANCHO VERDICT TESTIMONY BEING MADE PUBLIC

REF: (A) TEGUCIGALPA 667, (B) 75 TEGUCIGALPA 3394,
(C) 75 TEGUCIGALPA 3181, (D) 77 TEGUCIGALPA 4661,
(E) 77 TEGUCIGALPA 5496

1. SUMMARY: EARLY TESTIMONY IN OLANCHO CASE IS NOW BEING MADE
AVAILABLE. OUTLINE OF CASE AS PREVIOUSLY KNOWN IS GENERALLY CONFIRMED.

WIDESPREAD PUBLIC REACTION SEEMS TO BE AGREEMENT ON GUILT
OF TWO MILITARY OFFICERS AND SKEPTICISM THAT OTHERS WERE NOT ALSO
FOUND GUILTY. NEVERTHELESS, IN SPITE OF SOME DENUNCIATIONS, AND
CRITICISM OF LEGAL SYSTEM, MOST PEOPLE APPEAR TO ACCEPT THAT THE
NEXT STEP IS REVIEW BY THREE-JUDGE APPEALS COURT. END SUMMARY

2. NOW THAT THE OLANCHO CASE HAS BEEN APPEALED, TESTIMONY TAKEN BY
THE JUDGE DURING TRIAL IN JUTICALPA HAS BECOME PUBLIC, AND THE PRESS
IS
PUBLISHING SELECTED STATEMENTS. IT SEEMS LIKELY THAT MUCH OF THE
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EXTENSIVE DOCUMENTATION IN THE TRIAL WILL BE PRINTED AS REPORTERS DIG
THROUGH IT. STATEMENTS ARE THOSE MADE TO JUDGE IN MID- TO LATE-
1975 WHEN COURT CASE WAS JUST BEGINNING. INFORMATION THAT IS
REVEALED FOLLOWS GENERAL OUTLINES REPORTED REFS (B) AND (C). THE TWO
CONVICTED MILITARY OFFICERS, MAJOR CHINCHILLA AND LT. PLATA,
REGULARLY DENY KNOWLEDGE OR PARTICIPATION, IN SPITE OF NUMEROUS
CONTRADICTORY WITNESSES. TWO OTHER PROMINENT DEFENDANTS,

MEL ZELAYA AND CARL BAHR, PROVIDE A GRIM, GRAPHIC DESCRIPTION OF EVENTS WHICH THEY ADMIT HAVING WITNESSED. BOTH MINIMIZE THEIR PARTICIPATION WHILE EMPHASIZING THEY WERE FORCED TO COOPERATE IN SOME TASKS (SUCH AS DRIVING THE PICK-UP TO DISPOSE OF THE NINE BODIES OF THE PERSONS MURDERED AT ZELAYA'S "LOS HORCONES" RANCH). ZELAYA CLAIMS HE ATTEMPTED TO REASON WITH CHINCHILLA BUT THEN STOPPED FOR FEAR OF BEING MURDERED HIMSELF.

3. BOTH CHINCHILLA AND SGT. DAVID ARTICA TABLADA STATE THAT DURING THE EARLY AFTERNOON OF JUNE 25, 1975, THEY TRAVELLED BY PRIVATE PLANE TOGETHER TO TEGUCIGALPA WHERE CHINCHILLA CLAIMS HE REPORTED TO HIS SUPERIORS AND ARTICA SAW THE CHIEF OF STATE, THEN COLONEL MELGAR, WHO GAVE ORDERS FOR AN AIR FORCE PLANE TO BE MADE AVAILABLE TO EVACUATE ARTICA'S BROTHER TO SAN PEDRO SULA. ARTICA WAS IN CHARGE OF THE JAIL IN JUTICALPA WHILE HIS BROTHER, ALSO AN ARMY SERGEANT, WAS SERIOUSLY WOUNDED IN THE EXCHANGE OF GUNFIRE WHEN THE MILITARY TOOK OVER THE SANTA CLARA CENTER BUILDING DURING THE MORNING OF JUNE 25. FOUR PERSONS DIED IN THAT ASSAULT AND FIFTEEN OTHERS WERE ARRESTED. THE BROTHER WAS ALSO DEAD BY THE TIME ARTICA RETURNED.

4. MARCIAL EUCEDA, SECRETARY GENERAL OF THE NATIONAL CAMPESINO'S UNION (UNC) WHICH HAD ORGANIZED THE HUNGER MARCH THAT PRECIPATED THESE EVENTS HAS CLAIMED THAT THE "MASSACRES OF SANTA CLARA AND LOS HORCONES WERE THE RESULT OF A PREMEDITATED PLAN OF THE MILITARY AND RANCHERS." EUCEDA POINTED TO OTHER OCCASIONS WHEN THE ARMY
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HAD PEACEFULLY BROKEN UP HUNGER MARCHES AND DEMONSTRATIONS, PUTTING THE MARCHERS INTO TRUCKS AND SENDING THEM HOME. HE CLAIMED THAT IN THE OLANCHO CASE, THERE WAS A PLOT TO MURDER THE ACTIVISTS WORKING IN THE SANTA CLARA CENTER.

5. A PUBLIC MEETING FRIDAY, FEBRUARY 17, IN TEGUCIALPA'S MAIN PLAZA DREW, BY APPARENTLY ACCURATE PRESS ESTIMATES, ABOUT 2,000 PERSONS WHO HEARD STUDENT, UNC AND CHRISTIAN DEMOCRATIC SPEAKERS DENOUNCE THE COURT'S VERDICT. OCCASION FOR MEETING WAS TO COMMEMORATE FIFTH ANNIVERSARY OF 1972 "LA TALANQUERA" INCIDENT IN WHICH SIX CAMPESINOS WERE MURDERED, ALSO IN OLANCHO, AND FOR WHICH NOBODY EVER BROUGHT TO TRIAL.

6. COMMENT: PUBLICATION OF THE TESTIMONY HAS BROUGHT BACK TO PUBLIC CONSIDERATION THE EVENTS SURROUNDING TWO DAYS OF VIOLENCE IN OLANCHO. SANTA CLARA CENTER WAS TAKEN BY MILITARY UNIT AROUND 10:00 A.M. ON JUNE 25. AFTER HIS FLIGHT TO TEGUCIGALPA WHERE HE CLAIMS TO HAVE MET WITH UNNAMED SUPERIOR OFFICERS, MAJOR CHINCHILLA RETURNED TO JUTICALPA, TOOK SIX OF THE FIFTEEN PERSONS ARRESTED AT THE SANTI CLARA CENTER FROM THE JAIL TO LOS HORCONES. THERE THEY WERE JOINED BY LT. PLATA, WHO MEANWHILE HAD CAPTURED FATHER IVAN BETANCOURT AND TWO FEMALE

UNIVERSITY STUDENTS. ACCORDING TO ZELAYA'S TESTIMONY, ALL NINE WERE THEN SHOT BY CHINCHILLA AND PLATA. CHINCHILLA HAS PREVIOUSLY MAINTAINED THAT HE WAS ACTING UNDER ORDERS (REFS D AND E), A DEFENSE THAT THE GOVERNMENT AND THE ARMED FORCES HAVE VIGOROUSLY DENIED AND WHICH DENIAL THE EMBASSY HAS FOUND NO REASON TO DISPUTE.

7. WIDESPREAD PUBLIC REACTION SEEMS TO THE AGREEMENT THAT THE COURT WAS CORRECT IN FINDING CHINCHILLA AND PLATA GUILTY AND SKEPTICISM BECAUSE OTHERS WERE NOT ALSO CONDEMNED. NEVERTHELESS, AND IN SPITE OF DENUNCIATIONS FROM THOSE GROUPS MOST AFFECTED, AND CRITICISM OF THE LEGAL SYSTEM, THERE APPEARS TO BE GENERAL AGREEMENT THAT THE NEXT STEP IS REVIEW BY THE THREE-JUDGE APPEALS COURT.

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